

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.3097 OF 2006

DATED: 20.02.2006

BETWEEN:

TheA.P.Waddera Labour Contract Co.op.Society Ltd.

.....Petitioner

and

The Superintending Engineer II,MCH, Hyderabad

And another

... Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.3097 OF 2006

ORDER:

The petitioner-society seeks a direction to the respondents declaring seigniorage fee from the petitioner at the time of payment of bills after execution of the works with the respondent authorities without following G.O.Ms.No.286, Industries and Commerce (Mines-I) Department, dated 11.07.1994 in respect of Agreement No.31/SE-II/MCH/T2/2005-06, dated 25.08.2005, as illegal and arbitrary, and consequently to direct the respondents

not to deduct seigniorage fee while passing the bills of the petitioner.

By G.O.Ms.No.286, Government of Andhra Pradesh, Industries and Commerce Department modified the orders issued in G.O.Ms.No.29, dated 18.01.1976 whereby and whereunder the Government exempted professional Wadderas and Traditional Stonecutters from complying with certain conditions while undertaking Government contracts. The Government initially issued G.O.M.No.19 dated 06.01.1971 exempting Wadderas from paying seigniorage fee. The same was clarified in paragraph 3 of G.O.Ms.No.286, dated 11.07.1994 to the effect that the professional Waddera and genuine Wadderas Cooperative societies shall be exempted from payment of seigniorage fee, if they satisfy the conditions imposed in various Government orders.

In view of the clear directions issued by the Government in G.O.Ms.No.286 and other Government orders, the writ petition is disposed of observing that if the petitioner is a genuine society formed by Wadderas, it is entitled to the benefits under G.O.Ms.No.285, dated 11.07.1994. No costs.

V.ESWARAIAH,J

Dated:20-02-2006

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